

## Predetermined

*Dear Editor:*

Northern Virginia residents are right to question the SCC's objectivity and the involvement of former Commissioners like Theodore V. Morrison in the PATH project. If the PATH Hearing Examiner conducts this case the way Howard P. Andersen Jr. conducted the Pleasant View-Hamilton 230kV case, residents who oppose the line may as well give up now.

Those of us who fought the Hamilton line over multiple rounds of hearings know what to expect. Opponents will be required to build a legal case against a power line whose route will constantly change among multiple possible paths shown on abstract route maps that don't allow detailed analysis. Detailed engineering studies are done after the SCC's decision and you won't know where the towers will be placed or how close they will be to existing homes. The hearing examiner will predetermine the path of the lines before the hearings begin based on his and the SCC staffers' preferences. The hearings provide an opportunity for the examiner to pick and choose evidence to support his predetermined decision. Any arguments that oppose the examiner's choice will be downplayed or dismissed. If opposing arguments represent a significant obstacle, the

examiner can order design of a brand new route that even the power company doesn't want or understand. The new route can be ordered any time, even after months of hearings, leaving little or no time to study the impact of the new route. Cost analysis will be normalized and costs associated with "damage to the residual border properties" will be excluded, preventing cost from being used as an argument for routing lines away from developed areas.

Residents who are negatively impacted by the examiner's predetermined decision will find themselves fighting for a fair hearing from a judge who has already decided against them. In short, the SCC's examiners do not conduct fair, objective hearings on a level playing field. Opponents' testimony and evidence will be acknowledged in the examiner's report and will be part of the public record, but it will be for naught if you oppose the examiner's preferred route. The Virginia Legislature designed the SCC to be insulated from political pressure, but in the process they created an entity with no effective accountability or oversight. Appeal to the Virginia Supreme Court is the only recourse, but is almost never successful. A recent Letter to the Editor described the SCC's hearing process as a "kangaroo court in a banana republic." Truer words were never written.

*Jerry Harold, Leesburg*